

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

INFOGROUP, INC.,

Plaintiff,

v.

AFFORDABLE MARKETING LISTS, LLC,

Defendant.

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Civil Action No. _____

NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1441 (b)

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant Affordable Marketing Lists, LLC, files this Notice of Removal under 28 U.S.C. §§ 1332, 1441(a) & (b) and 1446(a), and will respectfully show as follows.

1. On April 12, 2016, Plaintiff Infogroup, Inc. filed a lawsuit against the Defendant in the 14th District Court of Dallas County, Texas, bearing cause number DC-16-04220. The Petition is attached hereto as part of all the pleadings, process, orders, docket sheet, and other filings in the state court action as required by 28 U.S.C. §1446(a).

2. The Defendant timely files this Notice of Removal within the 30-day time period required by 28 U.S.C. §1446(b).

3. This lawsuit is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1332, and is one which may be removed to this Court by Defendant pursuant to 28 U.S.C. § 1441(b) in that this is a civil action between citizens of different states and the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs.

4. Complete diversity of citizenship exists both at the time the Plaintiff filed this action in state court and at the time of this removal in that: Plaintiff is a corporation organized and existing under the laws of the State of Delaware and has its principal place of business in Dallas, Texas, and is thus a citizen of both the State of Delaware and the State of Texas; and Defendant is a limited liability company organized and existing under the laws of the State of Virginia and has its principal place of business in the State of Virginia, and its sole member, Joshua Stacy, is a citizen of Virginia, and therefore, the Defendant is not a citizen of the State of Delaware or the State of Texas.

5. Removal to this district is proper under 28 U.S.C. §1441(a) because the 14th District Court of Dallas County, Texas, the state court where the action has been pending, is located in this district.

6. As required by 28 U.S.C. § 1446(a) and Local Rule 81.1(a)(4), Defendant has attached to this Notice of Removal the following documents:

- A. Civil Cover Sheet and Supplemental Cover Sheet;
- B. Index of all attachments, including a copy of the state-court docket sheet and a copy of each document filed in the State Court Action; and
- C. Signed Certificate of Interested Parties.

7. Defendant will promptly file a copy of this Notice of Removal with the clerk of the 14th District Court of Dallas County, Texas, the state court where the action has been pending.

8. No admission of fact, law or liability is intended by this Notice or Removal, and all defenses, motions and pleas are expressly reserved.

Respectfully submitted,

/s/Robert Ruotolo_____

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ATTORNEYS FOR DEFENDANT
AFFORDABLE MARKETING LISTS, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of April, 2016, the above document was served pursuant to the TEXAS RULES OF CIVIL PROCEDURE upon the following:

Laura E. De Santos
Christopher M. Raney
GORDON & REES, LLP
1900 West Loop South, Suite 1000
Houston, Texas 77027

/s/ Robert Ruotolo_____

Robert Ruotolo